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Attorney Docket No.: SONY-04000
IPD No:50N3704.01

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Abram, et al.

Serial No.: 09/800,713

Filed: March 6, 2001

For: A SYSTEM AND METHOD FOR
PRODUCING A COLORING
BOOK IMAGE FROM A DIGITAL
IMAGE

Art Unit: 2622

Examiner: Mark Wallerson

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APR 15 2003

Technology Center 2600

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir:

In the Office Action dated January 13, 2003, claims 1 through 50 were rejected. Claims 1 through 50 are now pending in the application. In view of the remarks and the pending claims, Applicants respectfully request reconsideration of the application.

Rejections under § 103(a)

Manico in view of Mirando

Claims 17-20, 35, and 49 were rejected under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,373,551 (hereinafter Manico) in view of U.S. Patent No. 6,238,217 (hereinafter Mirando). Applicants respectfully disagree.

Manico discloses a photographic system including a photographic film having a unique identification code. An identification tag is included with the

photographic film; the identification tag bears a uniform resource locator that includes the unique identification code and an associated password. The film is scanned after processing to generate a digital image and the unique identification code is associated with the digital image and stored in a digital image storage device. (Abstract, emphasis added). The web service provider may also provide resources via Java applications such as “KIA’s Power Goo”, Adobe Photoshop, a Cartoon Algorithm, a Coloring Book Algorithm, Zoom, Crop, Rotate ... (col. 4, lines 56-59).

Mirando discloses a video coloring book arcade game that is be utilized in a video arcade and configured to accept money from multiple users (col. 2, lines 14-24). The video game also allows the user to select a crayon and have a region automatically filled with a color corresponding with the particular crayon (col. 3, lines 15-25). Mirando also discloses that the picture to be colored by the users can be selected from twelve pictures that are previously stored (col. 3, lines 5-10).

In contrast, claim 17 recites, in part:

“wherein the coloring book image represents the digital image and includes at least one fillable area” and

“receiving a coloring book image rendered from the digital image”

Manico merely mentions a “Coloring Book Algorithm” and provides no further details or teachings. The mere use of the term “Coloring Book Algorithm” is vague. Manico does not teach the use of a coloring book image representing the digital image and including at least one fillable area.

Further, Mirando also fails to teach the coloring book image which represents the digital image. For example, Mirando merely teaches the use of previously stored stock images for use as the coloring book image. In addition, these previously stored stock images are provide to all users of the video arcade

game taught by Mirando. Mirando teaches away from the invention which utilizes a coloring book image which represents a unique digital image which is transmitted to the invention.

Therefore, claim 17 is patentable over Manico in view of Mirando. Thus, independent claim 17 is now in condition for allowance. In addition, claims 18 through 20 depend directly or indirectly on claim 17 and, therefore, are patentable for at least the same reasons discussed above.

Independent claims 35 and 49 were rejected as being unpatentable over Manico in view of Mirando under the same rationale as for independent claim 17. Applicants respectfully disagree. Applicants submit that independent claims 35 and 49 are in condition for allowance for at least the reasons stated above for claim 17.

Manico in view of Tostevin and Mirando

Claims 1, 4-10, 13-16, 21, 22, 26-30, 32-34, 37, 41-48 and 50 were rejected under U.S.C. § 103(a) as being unpatentable over Manico in view of 6,061,462 (Tostevin) and Mirando. Applicants respectfully disagree.

Tostevin discloses a digital cartoon or animation creation process. Images are obtained in a digital format by set up steps, image capture steps, and image storage. (Abstract).

Applicants submit that independent claims 1, 10, 21, 33, 34, 37, 47, 48, and 50 are in a condition for allowance for at least the reasons stated above for claim 17 under the analysis for Manico in view of Mirando.

Claims 4-9 depend directly or indirectly on claim 1 and, therefore, are patentable for at least the same reasons discussed above. Claims 13-16 depend directly or indirectly on claim 10 and, therefore, are patentable for at least the same reasons discussed above. Claims 22, 26-30 and 32 depend

directly or indirectly on claim 21 and, therefore, are patentable for at least the same reasons discussed above. Claims 41-46 depend directly or indirectly on claim 37 and, therefore, are patentable for at least the same reasons discussed above.

Manico in view of Tostevin and Mirando and further in view of Schipper


Claims 2, 3, 11, 12, 23-25 and 38-40 were rejected under U.S.C. § 103(a) as being unpatentable over Manico in view of Tostevin and Mirando and further in view of Patent No. EP 0713788 (Schipper). Applicants respectfully disagree. Claims 2 and 3 depend directly or indirectly on claim 1 and, therefore, are patentable for at least the same reasons discussed above. Claims 11 and 12 depend directly or indirectly on claim 10 and, therefore, are patentable for at least the same reasons discussed above. Claims 23-25 depend directly or indirectly on claim 21 and, therefore, are patentable for at least the same reasons discussed above. Claims 38-40 depend directly or indirectly on claim 37 and, therefore, are patentable for at least the same reasons discussed above.

In view of the foregoing remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Richard H. Butler at (408) 223-9763.

Respectfully submitted,

Dated: 4/8/03


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